

LEGISLATIVE UPDATE

February 8, 2013 | Day 26 of the 105-day legislative session

PugetSoundPartnership

LEADING PUGET SOUND RECOVERY

The Legislative Update is a frequent report distributed throughout the legislative session. Each edition includes an update of legislative activities, as well as a list of specific legislative meetings of interest to the Partnership and our partners. Copies of bills can be found on the Legislature's website at www.leg.wa.gov.

The pace of the legislative session is accelerating as we pass the one-quarter mark of the legislative session. We are seeing a lot of new bills introduced and a number of high-profile issues scheduled for public hearings. The first bill cutoff is next week, Feb. 22.

New format for Puget Sound Legislative Updates

Based on feedback from our partners, we've modified the format of our weekly legislative updates to focus on specific policy and budget issues instead of the chronological format in previous versions.

Board members support Puget Sound priorities

Several board members were in Olympia the last few weeks testifying on priority policy issues and voicing support for Puget Sound budget priorities. If you are planning to testify on a bill, meet with legislators, or would like assistance with state legislative issues—please contact Michael Grayum.

Governor appoints Director of Ecology

Gov. Inslee announced the appointment of Maia Bellon as the new director of the Washington State Department of Ecology. Maia served as Ecology's Water Resources Program Manager since 2010 and previously worked as an assistant Attorney General for Ecology's Water Section. Read more in the media release from the Governor's Office: <http://www.governor.wa.gov>.

LEGISLATION PERTINENT TO PUGET SOUND

STORMWATER

Delaying new stormwater requirements: The Partnership opposes [Senate Bill 5326](#), which would delay Phase I municipal stormwater permits until Aug. 1, 2016. Further delay would put Puget Sound on a backward trajectory from achieving regionally adopted recovery goals and would violate the Environmental Protection Agency's clean water requirements. The Washington State Association of Counties was the only supporter of this bill, advocating on behalf of Clark County.

Prioritizing stormwater funding: Last week, the House Environment Committee heard [House Bill 1235](#), which would require financial assistance for stormwater projects from Ecology to local governments be

2013 SESSION AT A GLANCE

Length: 105 days. If necessary, the Governor can call for a 30-day special session. Legislators can call themselves into special session with a two-thirds vote.

Next Cutoff: Friday, Feb. 22 is the last day to read bills in the house of origin, except for fiscal and transportation committees.

Information:

- For up-to-date legislative information, visit: www.leg.wa.gov
- To watch or listen to a legislative hearing, visit: www.tvw.org
- For both current and previous copies of the Legislative Update, visit: www.psp.wa.gov

Communication and Coordination:

If you are planning to testify on a bill, meet with legislators, or would like assistance with state legislative issues regarding Puget Sound priorities—please contact:

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Public Affairs Director
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prioritized to fund projects mandated by the municipal stormwater permits. The legislation was supported by city and county interests, but opposed by the environmental community and state government agencies. The Partnership continues working with our local government partners, state agencies, environmental and business community members to find a long-term, sustainable funding solution. Meanwhile, this bill remains in the House Environment Committee.

HABITAT

Land acquisitions: The Senate Natural Resources & Parks Committee passed, without amendment, [Senate Bill 5054](#), which requires several natural resource agencies to request and receive approval from the Legislature prior to acquiring certain types of land. Concerns were expressed that this bill would hinder existing land acquisition processes and restrict the flexibility needed to take advantage of market opportunities. Committee members said they will continue working on the bill as it moves forward.

Limiting public access: The Senate Natural Resources & Parks Committee passed a substitute version of [Senate Bill 5057](#). The original bill prohibited nonprofits from restricting public access. The version that passed allows state agencies to restrict access for certain conditions. Access is sometimes restricted to avoid liability, protect cultural resources, honor requests of adjacent landowners, and protect critical habitats.

Restricting designated agricultural land: The Senate Agriculture, Water & Rural Economic Development committee held a public hearing on [Senate Bill 5276](#), which requires any public entity owning designated agricultural land to maintain that land for future agricultural use. The Partnership supports working farms and forests as an important part of our economy and ecosystem. However, we testified in opposition to the bill because it hinders the ongoing collaboration between public and private landowners working together to protect the most viable agricultural land and implement the highest priority habitat restoration projects in Puget Sound watersheds. We are working with Sen. Steve Hobbs, the prime sponsor of the bill, and look forward to meeting with stakeholders on Tuesday. Watch highlights of the hearing at: http://www.tvw.org/index.php?option=com_tvwplayer&eventID=2013021022#start=5511&stop=6360

Limiting landowner liability: [House Bill 1194](#), which would remove landowner liability for restoration work on their lands, passed out of the House Judiciary Committee. The Partnership supports this legislation.

Conservation easements: [House Bill 1277](#), which would enable Tribes to hold conservation easements, passed the House Community Development, Housing & Tribal Affairs Committee. The Partnership supports this legislation because protection of habitat is a top priority in the Puget Sound Action Agenda and a major focus for our tribal partners.

SHELLFISH

Ocean acidification: Washington is a pioneer in the effort to identify the critical steps to slow ocean acidification. Sen. Ranker recently introduced [Senate Bill 5547](#) to create a “Washington Marine Resources Protection Council” to synchronize ocean acidification efforts and address broader ocean issues. The proposal also includes acidification as a possible justification for extending urban sewer

services to rural areas. A public hearing is scheduled on Feb. 13 in the Senate Energy and Environment & Telecommunications Committee.

Shellfish aquaculture: Rep. Larry Seaquist recently introduced [House Bill 1761](#) to establish a shellfish aquaculture public information center, which could help implement several near-term actions in the Puget Sound Action Agenda. The center would serve as the information clearinghouse for aquaculture research, activities and regulations. A public hearing is scheduled in the House Agriculture & Natural Resources Committee on Feb. 13.

TOXICS

Derelict Vessels: Stakeholders and sponsors continue working in the House Natural Resources Committee to improve the derelict vessel legislation, [House Bill 1245](#). Meanwhile, a [Senate Bill 5663](#) was introduced in the Senate and is scheduled for a hearing next Thursday, Feb. 14. The Partnership supports both bills and continues emphasizing the need for a long-term, sustainable funding mechanism to remove large vessels. We must also make sure negligent owners of near-decrepit ships are accountable for any harm they cause to our environment and our economy. Check out The Seattle Times editorial about this important issue: http://seattletimes.com/html/editorials/2020288388_editderelictvessel.xml.html

Model Toxics Control Act (MTCA): Polluted stormwater runoff is the largest water quality problem facing our state and there are no simple answers. This is evident by the recent delay in the Senate Energy, Environment & Telecommunications Committee to vote on [Senate Bill 5201](#), which would accelerate cleanup of hazardous waste sites, and [Senate Bill 5296](#), concerning the Model Toxics Control Act. Most stakeholders support Sen. Kevin Ranker's proposal, Senate Bill 5201, which is a carry-over from last year's bill based on the "Brownfields" study. The other, Senate Bill 5296, sponsored by Sen. Doug Ericksen, seeks to re-prioritize cleanup projects within the account and is more controversial. Stakeholders have been working on amendment language that includes promoting model remedies and trying to provide more certainty for long-term funding. Both bills are linked and are likely to move out of committee together.

ECONOMIC DEVELOPMENT

Working waterfronts: Sen. Ranker recently introduced the "working waterfronts redevelopment jobs act," [Senate Bill 5545](#), which is scheduled for a hearing on Feb. 13. The legislation would create a voluntary approach to provide regulatory relief from some state and local processes involving the redevelopment of waterfront properties. The bill also serves as a mechanism to create jobs and restore shoreline habitat. Similar legislation was introduced last session, but did not make it out of the House. The Partnership supports the intent of this proposal and will be working with stakeholders to build on the progress made last year.

Urban economic revitalization: A new piece of legislation, [House Bill 1648](#), has been introduced to replace an earlier bill ([House Bill 1079](#)) to authorize loans for municipalities to finance public facilities improvements that encourage revitalization of vacant and abandoned properties in incorporated areas. A similar Senate proposal, [Senate Bill 5533](#), was also introduced and is scheduled for public hearing in the Senate Trade & Economic Development Committee on Thursday, Feb. 14.

BUDGET

Capital budget: The Senate Ways & Means Committee unanimously passed substitute [Senate Bill 5445](#), a capital budget proposal to fund public school projects. So far, Gov. Gregoire's budget is the only proposal that invests in natural resource projects. We continue informing legislators about the significant return on investment from Puget Sound restoration projects—highlighting a recent NOAA study supporting how restoration projects generate more jobs than other types of capital projects, which strengthens the health of our economy and ecosystem. Watershed restoration work creates up to 33 jobs per \$1 million invested.

UPCOMING LEGISLATIVE HEARINGS

Monday, Feb. 11

10 a.m. Senate Agriculture, Water & Rural Economic Development; Public Hearing:

- [Senate Bill 5462](#)—Concerning efficiencies in the Department of Ecology processing of water right change applications to permit the consolidation of the annual quantities of those water rights held by the applicant.
- [Senate Bill 5463](#)—Concerning efficiencies in the Department of Ecology processing of water right change applications that move the point of withdrawal reducing the potential for surface water body impacts.

Tuesday, Feb. 12

8 a.m. House Government Operations & Elections; Public Hearing: [House Bill 1163](#)—Regarding administrative procedures that promote accountability, transparency and economic relief.

10 a.m. Senate Agriculture, Water & Rural Economic Development; Work Session: Conservation Reserve Enhancement Program.

10 a.m. House Technology & Economic Development; Work Session: Developing a smart regulatory climate.

10 a.m. House Agriculture & Natural Resources; Public Hearing: [House Bill 1372](#)—Concerning natural resource management activities.

1:30 p.m. Senate Energy, Environment & Telecommunications; Public Hearing: [Senate Bill 5295](#)—Addressing appeal and permit procedures under the Shoreline Management Act.

1:30 p.m. Senate Natural Resource & Parks; Public Hearing:

- [Senate Bill 5543](#)—Regarding state and private partnerships for managing salmonid hatcherie.
- [Senate Bill 5593](#)—Concerning filing requirements for property tax exemption claims for certain.

Wednesday, Feb. 13

8 a.m. Senate Energy, Environment & Telecommunications; Public Hearing:

- [Senate Bill 5181](#)—Concerning flame retardants.
- [Senate Bill 5424](#)—Concerning paint stewardship.
- [Senate Bill 5545](#)—Establishing the Working Waterfront Redevelopment Jobs Act.
- [Senate Bill 5547](#)—Addressing ocean acidification by taking action on the recommendations of the Governor’s Blue Ribbon Panel on Ocean Acidification.
- [Senate Bill 5457](#)—Adopting the Washington Small Rechargeable Battery Stewardship Act.

8 a.m. House Agriculture & Natural Resources; Public Hearing: [House Bill 1761](#)—Concerning shellfish aquaculture.

Thursday, Feb. 14

10 a.m. House Environment; Public Hearing: [House Bills 1434](#)—Regarding the inclusion of community involvement in environmental decision-making.

1:30 p.m. Senate Natural Resources & Parks; Work Session: Derelict vessel update; Public Hearing:

- [Senate Bill 5634](#)—Clarifying the Department of Natural Resources’ authority to enter into cooperative agreements.
- [Senate Bill 5596](#)—Regarding certain lake management activities on lands owned by the State of Washington.
- [Senate Bill 5663](#)—Regarding derelict and abandoned vessels in state waters.

Friday, Feb. 15

1:30 p.m. House Local Government; Public Hearing: [House Bill 1599](#)—Concerning Shoreline Master Program provisions for marine aquaculture net pen facilities.

ADDITIONAL INFORMATION

How to access a bill:

- <http://apps.leg.wa.gov/billinfo>
You can access detailed information about legislation by entering a specific bill number or searching by topic.

How to find legislative committee members and meeting agendas:

- <http://www.leg.wa.gov/legislature/pages/committeelisting.aspx>

How to find your Legislators and contact them:

- Senate: www.leg.wa.gov/Senate
- House of Representatives: www.leg.wa.gov/House

BILL	COMP.BILL	TITLE	STATUS	SPONSOR
KEY PUGET SOUND BILLS				
HB 1079		Urban growth areas	Jan 23 Public hearing in the House Committee on Community Development and Housing & Tribal Affairs at 8:00 AM.	Appleton
HB 1104		Up-front environment planning	Jan 24 Public hearing in the House Committee on Local Government at 8:00 AM.	Fitzgibbon
HB 1163		Administrative procedures	Feb 12 Scheduled for public hearing in the House Committee on Government Operations & Elections at 8:00 AM. (Subject to change)	Taylor
HB 1188		Under producing ag-land	Jan 31 Public hearing in the House Committee on Agriculture & Natural Resources at 1:30 PM.	Lytton
HB 1194		Habitat project liability	Feb 5 Executive action taken in the House Committee on Judiciary at 10:00 AM.	Stanford
HB 1234		Delaying stormwater permits	Jan. 21 Environment. Committee	Pike
HB 1235	SB 5441	Prioritizing stormwater inv.	Jan 30 Public hearing in the House Committee on Environment at 1:30 PM.	Pike
HB 1237	SB 5435	Storm water compliance	Jan 30 Public hearing in the House Committee on Environment at 1:30 PM.	Pike
HB 1245		Derelict & abandoned vessels	Jan 29 Public hearing in the House Committee on Agriculture & Natural Resources at 10:00 AM.	Hansen
HB 1277		Conservation easements/tribes	Feb 5 Executive action taken in the House Committee on Community Development and Housing & Tribal Affairs at 10:00 AM.	Sawyer
HB 1294	SB 5181	Flame retardants	Feb 6 Public hearing in the House Committee on Environment at 1:30 PM.	Van De Wege
HB 1364	SB 5457	Small rechargeable batteries	Feb 7 Public hearing in the House Committee on Environment at 10:00 AM.	Tharinger
HB 1384		Natural resources management		Orcutt
HB 1434		Environmental decisionmaking	Feb 14 Scheduled for public hearing in the House Committee on Environment at 10:00 AM. (Subject to change)	Pollet
HB 1444		Household mercury lights	Feb 7 Public hearing in the House Committee on Environment at 10:00 AM.	Hunt
HB 1478		Rule making, suspension of		Orcutt
HB 1579	SB 5424	Paint stewardship		Goodman
HB 1599	SB 5623	Marine aquaculture	Feb 15 Scheduled for public hearing in the House Committee on Local Government at 1:30 PM. (Subject to change)	Van De Wege
HB 1600		Small forest landowners	Feb 12 Scheduled for public hearing in the House Committee on Agriculture & Natural Resources at 10:00 AM. (Subject to change)	Orcutt

HB 1682	Up-front enviro planning		Fitzgibbon
HB 1717	Up-front enviro planning		Fitzgibbon
SB 5054	Habitat and recreation lands	Feb 7 Executive action taken in the Senate Committee on Natural Resources & Parks at 1:30 PM.	Honeyford
SB 5057	Outdoor rec/nonprofit's land	Feb 7 Executive action scheduled, but the report on the motion to move the bill out of committee did not receive sufficient signatures.	Ericksen
SB 5181 HB 1294	Flame retardants	Feb 13 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM. (Subject to change)	Nelson
SB 5201	Hazardous waste site cleanup	Jan 23 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM.	Ranker
SB 5254	Salmon & steelhead spawning		Chase
SB 5276	Designated agricultural land	Feb 5 Public hearing in the Senate Committee on Agriculture and Water & Rural Economic Development at 10:00 AM.	Hobbs
SB 5296	Model toxics control act	Jan 23 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM.	Ericksen
SB 5326	Storm water requirements	Feb 5 Public hearing in the Senate Committee on Energy and Environment & Telecommunications at 1:30 PM.	Rivers
SB 5424 HB 1579	Paint stewardship		Chase
SB 5435 HB 1237	Storm water compliance		Cleveland
SB 5441 HB 1235	Storm water control		Rivers
SB 5457 HB 1364	Small rechargeable batteries	Feb 13 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM. (Subject to change)	Nelson
SB 5545	Working waterfront redevel	Feb 13 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM. (Subject to change)	Ranker
SB 5547	Ocean acidification	Feb 13 Scheduled for public hearing in the Senate Committee on Energy and Environment & Telecommunications at 8:00 AM. (Subject to change)	Ranker
SB 5603	Coastal marine adv. council		Hatfield

<u>SB 5623</u>	<u>HB 1599</u>	Marine aquaculture		Hargrove
<u>SB 5663</u>		Derelict & abandoned vessels	Feb 14 Scheduled for public hearing in the Senate Committee on Natural Resources & Parks at 1:30 PM in anticipation of other legislative action.	Pearson
<u>HB 1057</u>	<u>SB 5034</u>	Operating budget 2013-2015	Jan 15 Public hearing in the House Committee on Appropriations at 3:30 PM.	Hunter
<u>HB 1058</u>	<u>SB 5033</u>	Operating sup budget 2013	Jan 15 Public hearing in the House Committee on Appropriations at 3:30 PM.	Hunter
<u>HB 1088</u>	<u>SB 5036</u>	State gen. obligation bonds	Jan 28 Public hearing in the House Committee on Capital Budget at 1:30 PM.	Dunshee
<u>HB 1089</u>	<u>SB 5035</u>	Capital budget 2013-2015	Jan 28 Public hearing in the House Committee on Capital Budget at 1:30 PM.	Dunshee
<u>SB 5024</u>		Trans budget 2011-13/2013-15		King
<u>SB 5033</u>	<u>HB 1058</u>	Operating sup budget 2013		Hill
<u>SB 5034</u>	<u>HB 1057</u>	Operating budget 2013-2015		Hill
<u>SB 5035</u>	<u>HB 1089</u>	Capital budget 2013-2015		Honeyford
<u>SB 5036</u>	<u>HB 1088</u>	State gen. obligation bonds		Honeyford

* Blank "status" indicates the bill has been introduced, but not yet scheduled for public hearing.